

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:04cv270

DIRECTV, INC.)	
Plaintiff,)	
)	
vs.)	
)	<u>ORDER</u>
WINSTON WARD,)	
Defendant.)	
_____)	

On September 13, 2005, the magistrate judge issued a Memorandum and Recommendation in the present case recommending that the Defendant's Motion for Default Judgment be granted. (Doc. No 23) The parties were advised that objections were to be filed in writing within ten days after service of the magistrate judge's decision and that "failure to file objections to this Memorandum with the district court constitutes a waiver of the right to de novo review by the district court" and "may preclude the parties from raising such objections on appeal." The deadline for filing objections has since passed, and neither party has filed objections in this matter. After a careful review of the Memorandum and Recommendation, the Court finds that the magistrate judge's proposed findings of fact are supported by the record and that the proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby accepts the magistrate judge's recommendation that the Plaintiff's Motion for Default Judgment be granted.

THEREFORE, IT IS HEREBY ORDERED that

- (i) "Plaintiffs Motion for Default Judgment Against Defendant, and For Certification of Final Judgment" (Document No. 19) is **GRANTED** and DIRECTTV is awarded attorney's fees in the amount of \$249.00 and costs in the amount of \$240.00, but no statutory damages;

- (ii) in light of DIRECTV's failure to pursue the remainder of its claims against Mr. Ward, those claims are **DISMISSED WITH PREJUDICE**; and
- (iii) Mr. Ward is permanently enjoined from committing or assisting in the commission of any violation of 47 U.S.C. § 605 or committing or assisting in committing any violation of 18 U.S.C. § 2511.

Signed: April 18, 2006

A handwritten signature in black ink, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

